

**MINUTES
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – DECEMBER 3, 2014
REGULAR MEETING – 7:00 P.M.**

Item 1. Call to Order. Council Chair Holbrook opened the regular meeting of the Scarborough Town Council at 7:00 p.m.

Item 2. Pledge of Allegiance.

Item 3. Roll Call. The roll was called by Yolande P. Justice, Town Clerk. Thomas J. Hall, Town Manager was also present.

Shawn A. Babine	Katherine A. St. Clair
William J. Donovan	Edward NMI Blaise, III
Jean-Marie Caterina, Vice Chair	Pete F. Hayes
Jessica L. Holbrook, Council Chair	

Prior to general public comments, Thomas J. Hall, Town Manager, introduced a new timing system for this item. At the one minute mark the yellow light would come on indicating that the speaker would need to wrap-up their comments and the red light would indicate their time was up.

Item 4. General Public Comments.

- Maura Erickson of Pine Point voiced her concerns on two issues. The first being the two lifts purchased for the pier and the second one related to the hockey rink and the possible location on the municipal campus.

Item 5. Minutes: November 19, 2014 – Regular Meeting. Motion by Councilor Babine, seconded by Councilor St. Clair, to move approval of the minutes of the November 19, 2014, regular Town Council meeting.

Vote: 7 Yeas.

Item 6. Adjustment to the Agenda. None at this time.

Item 7. Items to be signed: a. Treasurer's Warrants. Treasurer's Warrants were signed during the meeting.

Order No. 14-89, 7:00 p.m. Public hearing and second reading on the proposed amendment to Chapter 405 – Scarborough Zoning Ordinance to amend Section VI (Definitions). Thomas J. Hall, Town Manager, gave a brief overview on this Order. Council Chair Holbrook opened the public hearing. As there were no public comments the hearing was closed at 7:11 p.m.

Motion by Councilor St. Clair, seconded by Councilor Donovan, to move approval of the second reading on the proposed amendment to Chapter 405 – Scarborough Zoning Ordinance to amend Section VI (Definitions), as follows:

**AMENDMENT TO CHAPTER 405 - ZONING ORDINANCE
REGARDING DEFINITION OF AFFORDABLE HOUSING**

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that Section VI (Definitions) of the Zoning Ordinance of the Town of Scarborough, Maine is amended as follows:

Amend the definition of Affordable Housing, by adding the underlined text and deleting the text shown in strikeover type, as shown below:

Affordable Housing: [Adopted 11/03/2004] [Amended 05/03/2006] Affordable Housing means decent, safe and sanitary living accommodations that are affordable to households, in accordance with following provisions:

- A. An Owner-Occupied Affordable Housing Unit is a unit which has an expected sales price that is reasonably anticipated to result in monthly housing costs (including mortgage principal, interest, and insurance; homeowners' insurance costs, real estate taxes and basic utility and energy costs) that do not exceed 30% of a household's gross monthly income. The qualified household gross income for an Affordable Housing Unit is ~~120~~ 80% or less than the most recently published Portland, Maine, MSA Median Family income adjusted for family size and consistent with the income thresholds published by the U.S. Department of Housing and Urban Development for the region.
- B. A Renter-Occupied Affordable Housing Unit is a unit which is leased to a household ~~(including rent and basic utility and energy costs)~~ for an amount (including rent and basic utility and energy costs) that does not exceed 30% of the household's gross monthly income. The qualified household gross income for a Renter-Occupied Housing Unit is 80% or less than the most recently published Portland, Maine, MSA Median Family Income adjusted for family size and consistent with the income thresholds published by the U.S. Department of Housing and Urban Development for the region.

Vote: 7 Yeas.

OLD BUSINESS: None at this time.

NEW BUSINESS:

Order No. 14-99. Act on the recommendations for Council Chair Liaison Committee/Board Appointments. Motion by Council Chair Holbrook, seconded by Councilor Babine, to move approval on the recommendations for Council Chair Liaison Committee/Board Appointments, as follows:

Council Liaison Appointments:

ADA Advisory:

Councilor St. Clair

Chamber of Commerce:

Councilor Donovan

Communications:

Councilor St. Clair

Eastern Trail Committee:

Councilor Blaise

Energy Committee:

Councilor Donovan

Health Safety & Security Advisory Committee:

Councilor St. Clair

Housing Alliance Committee:

Council Chair Holbrook

Board of Education:

Councilor Babine

Coastal Harbor Committee:

Councilor Hayes

Conservation Commission:

Councilor Hayes

Employee Incentive Committee:

Councilor Blaise

Firing Range Committee:

Council Chair Holbrook

Historic Preservation Committee:

Councilor Chair Holbrook

Library Board:

Councilor St. Clair

Long Range Planning Committee:

Councilor Caterina

SEDCO Board:

Councilor Donovan

[Alternate: Councilor Babine]

Shellfish Conservation Commission:

Councilor Hayes

Transportation Committee:

Councilor Hayes

Planning Board:

Councilor Blaise

Senior Advisory Committee:

Councilor Hayes

Transportation Committee:

Councilor Hayes

Outside Committees/Boards:

COG - General Assembly:

Councilor Caterina

Councilor Chair Holbrook

Ecomaine Board:

Mike Shaw, Public Works Director-Term expires 2016

Councilor Babine Term expires 2016

MMA Legislative Policy Committee:

Councilor Caterina [Alternate - Councilor Donovan]

PACTS Police Committee:

Councilor Babine

Councilor St. Clair

[Alternates: Thomas J. Hall, Town Manager and Dan Bacon, Town Planner]

Vote: 7 Yeas.

Order No. 14-100. Act on the request from the Ice Rink Site Evaluation Committee, on its recommendation for a proposed location for an Ice Arena subject to the terms of a land lease to be negotiated once all requirements of the *Memorandum of Understanding with the FOSH Group* is accomplished to the satisfaction of the Town Council. The following individuals spoke on this Order:

- Linda Elliot of Broadturn Road and President of the Library Board of Trustees presented the Council with a letter with three priority issues: the need for a comprehensive Master Plan; the impact on the wetlands and the parking space issues.
- Bill Nickerson of Green Needle Drive spoke on the issue of his property had become wetter since all the development had taken place next to his property. Prior to further development, he would like to see the Town address this issue to help the residents of Green Needle Drive.
- Thomas Eschner of Pine Ledge Drive and formerly a member of the Board of Trustees noted that he had sent a letter to the Council regard a few issues that he had. He felt that the Town Council should be looking out for the best interest of the whole town.
- Maura Erickson of Pine Point felt it would be great to figure out ways to involve the public in this rink and other decisions are made.
- Emily Read of 8 Windward Lane and a member of the Library Board of Trustees stated she would like to see other areas looked and felt that municipal property should be used for municipal use.

Councilor Babine gave notice to the Town Council and the public that he works for a member of the Board of the Hockey Boosters and does not receive any fiduciary benefits, he asked that the Town Council vote on whether he should abstain in the discussion and vote.

There being no motion on Councilor Babine's disclosure, he would be able to participate in the discussion and vote

Motion by Caterina seconded by Councilor St. Clair, to move approval on the request from the Ice Rink Site Evaluation Committee, on its recommendation for a proposed location for an Ice Arena subject to the terms of a land lease to be negotiated once all requirements of the *Memorandum of Understanding* with the FOSH Group is accomplished to the satisfaction of the Town Council, as follows:

Community Ice Arena

Site Selection

Recommendation



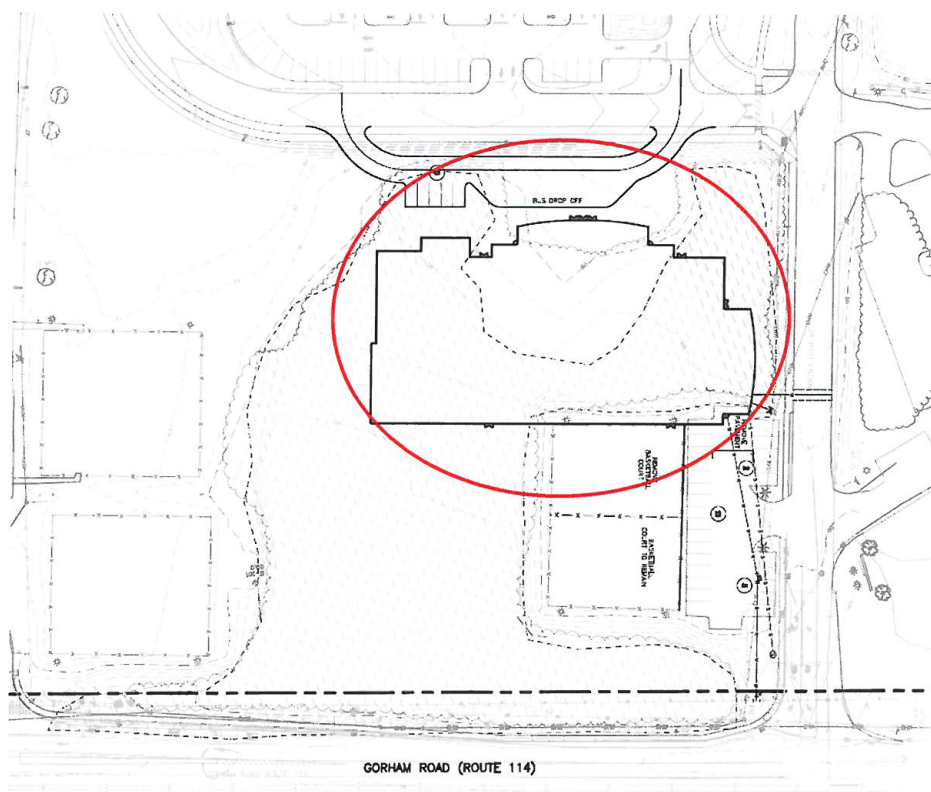
Purpose: Provide the Scarborough Town Council with a recommendation for the location the Community Ice Arena on the Scarborough High School Municipal Campus.

Committee Members: Bruce Gullifer, Jessica Holbrook, Chuck Bradish, Lee Allen, Stephen Quirk, Todd Jepson, Michael LeGage

Extended Members: Bill Bray, Nancy Crowell, Chris Caiazzo

Recommendation:

The committee recommends that the site location identified as the “Basketball Court Site” as the site for the Ice Arena. The Ice Arena will actually be placed adjacent to the basketball courts. Please refer to the drawing below.



Executive Overview:

A memorandum of understanding between the Town Council and Friends of Scarborough Hockey (FOSH) was approved at the October 15, 2014 Town Council Meeting.

Though the MOU was approved the site location was not finalized.

Tom Hall assigned Bruce Gullifer to create a committee for the purpose of determining a recommended site location for the ice arena on the Municipal Campus.

The committee met for the first time on October 30, 2014 and discussed 4 site locations (Water Tower, Ice Rink, Tennis Courts, Basketball Court). The positive and negative aspects of each location were discussed and documented. Topics of discussion for each slight included but were not limited to traffic impacts, safety, wetlands, proximity, and future growth of the campus along. The committee left the first meeting with a preferred location that we would then further evaluate.

A second meeting was held on November 21 with an objective of a further evaluation and confirmation that this was still the preferred site that would be recommended to the Town Council. To assist in this determination, Lee Allen provided a site plan with a footprint of the ice arena in that location. Bill Bray was also invited to this meeting to provide his professional input on Traffic considerations for that location. The meeting was also extended to Nancy Crowell to provide input on behalf of the Library and Chris Caiazzo to provide input on behalf of the School Board. After detailed conversations around the 4 sites it was determined that each member would provide a ranking of the 4 site locations. The rankings went from 4 being the least preferred and 1 being the most preferred. Each of the committee members, including Nancy and Chris were all given a vote on rankings. The outcome was as follows:

Tennis Courts:	13
Basketball Courts:	13
Ice Rink:	23
Water Tower:	30

The results brought up a further discussion of the orientation of the building, with the preference of rotating the building to face the new Wentworth parking lot instead of having its back-to the Library. This new positioning of the building would still allow for a bus drop off area, and a small handicap parking lot.. This location would still afford the Town the possibility of a community or senior center between the ice arena and Route 114 (Gorham Rd). It was determined that this did not need to be finalized prior to giving a recommendation to the Town Council but that this would be part of the next steps and would need to be resolved prior to going to the Planning Board for approval. A conceptual site plan is attached that illustrates the building rotated to front the Wentworth Parking Area.

Item 8. Non Action Items. None at this time.

Item 9. Standing and Special Committee Reports and Liaison Reports.

- Councilor St. Clair noted that she would be meeting with the Town Manager regarding the Ordinance Committee and as soon as there is a date set the public would be notified. She also noted that she looks forward to working with the Library this year.
- Councilor Caterina gave an update on the PACTS meeting that would be held at the North Scarborough Grange at 6:00 p.m., December 4th. The discussion would be regarding future traffic patterns for north Scarborough.
- Councilor Donovan gave an update on the Regional PACTS meeting that had been held in Old Orchard Beach.
- Councilor Babine gave an update on the Finance Committee and noted that there would be a joint workshop between the Town Finance Committee and the School Finance Committee on Wednesday, December 10th at 4:00 p.m. at Town Hall in Council Chambers.
- Council Chair Holbrook gave an update on the Appointments Committee and posted the following names:

Board of Assessment Review:

Re-appoint Alan Peoples and Chris Herrick - terms would expire in 2017.

Coastal Waters & Harbor Committee:

Re-appoint Mark Coulston and David Green - terms would expire in 2017.

Community Services Recreation Advisory Board:

Re-appoint Iver Carlson and Leroy Crocket - terms would expire in 2017.

Conservation Commission:

Re-appoint Iver Carlson and Suzan Nixon - terms would expire in 2017.

Energy Committee:

Re-appoint J. Anton Bodor - term would expire in 2017.

Housing Alliance Committee:

Re-appoint Mike Bunting – term would expire in 2017.

Parks and Conservation Land Board:

Re-appoint Richard Murphy and Sean Flaherty - terms would expire in 2017.

Personnel Appeals Board:

Re-appoint Jennifer Beedy, Daniel Dwyer and Emily Ward - terms would expire in 2017.

Planning Board:

Appointment Mike Wood as a full voting member – term to expire in 2017 and move Nicholas McGee from 1st Alternate to a full voting member – term to expire in 2016 and move Susan Auglis from 2nd Alternate to 1st Alternate. – term to expire in 2016.

Senior Advisory Board:

Re-appoint Emilie Estes as a full voting member - term would expire in 2017. Move Susan DeWitt Wilder from 1st Alternate to full voting member – term to expire in 2016 and appointed Nicole Fish as 1st Alternate – term to expire in 2016.

Shellfish Conservation Commission:

Re-appoint David Green - term would expire in 2017.

Council Chair Holbrook noted that she and two fellow Councilors attended an Elected Officials Workshop at the Maine Municipal Association in Augusta. She also gave an update on the Historic Preservation Committee and the Housing Alliance would be meeting on Thursday, December 4th at 6:00 p.m. here at Town Hall.

Item 10. Town Manager Report. Thomas J. Hall, Town Manager, gave the following updates:

- Reminder of the Tree Lighting Ceremony in Memorial Park, scheduled to begin at 5:00 p.m.
- There would be a Council Goal Setting Workshop prior to the next Town Council meeting on December 17th at 6:00 p.m.
- The Town Manager, along with the Town Council Chair would be working on Long Range Facility Planning for the Town. The school has conducted a facility survey and would be presenting it soon.

Item 11. Council Member Comments.

- Councilor Babine noted that he may not be able to stay at the PACTS meeting due to the Board of Education meeting scheduled for the same evening. He then noted that this is a time for giving and one of his favorites is the Veterans and the Toys-for-Tots and encourage others to participate. He welcomed back Mr. Woods on being appointed to the Planning Board. He thanked everyone for this chance to serve the community and thanked his wife for her support for this opportunity.
- Councilor Donovan also mentioned the Maine Municipal Association Workshop. Some of the ideas that came from meeting were ways to get feedback from the community and he would be working with the Manager on this item.
- Councilor Caterina would like to see a meeting scheduled with the local Senators and Legislators. Project Grace also does gift giving this time of year. She mentioned the Clynk bags were available in the Town Clerk's Office – adding this money goes toward the fuel Assistance Program.
- Councilor Blaise noted that he would be in favor of the ice rink but not on the municipal campus. He mentioned an article in the newspaper regarding the Plovers and what a good year it had been.
- Council Chair Holbrook sent condolences to the families of Leanne Jordan, Giovanni Mazzone, Howard Milton Potter, Jr. and Alan Sampson. She handed out the Council Chair Values and Goals that she had read at the last meeting. She too mentioned the tree lighting and the Clynk bags, adding the more we can do the better off the program becomes. Cash donations can also be made. She mentioned the Council Goals Workshop prior to the Town Council meeting on Wednesday, December 17th at 6:00 p.m. - let us have fruitful discussions that would assist the Finance Committee in their process.

Item 12. Adjournment. Motion by Councilor Babine, seconded by Councilor Caterina, to move approval to adjourn the regular meeting of the Scarborough Town Council.

Vote: 7 Yeas.

Meeting adjourned at 8:55 p.m.

Respectfully submitted:

Yolande P. Justice
Town Clerk